

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1516 of 2007()

CRIME NO. 88/2007 OF KURUPPUMPADY POLICE STATION

PETITIONER/1ST ACCUSED

SUSY STEPHEN, PRINCIPAL,
LUKE MEMORIAL PUBLIC SCHOOL,
IRINGOLE P.O.

BY ADV. SRI.SOJAN MICHEAL
SRI.M.K.DAMODARAN (SR.)

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY D.G.P. SRI. P.G. THAMBI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15/03/2007, ALONG WITH BA NO. 1522 OF 2007
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application Nos. 1516 & 1522 of 2007

DATED: 15th March 2007

O R D E R

Petitioners who are the Principal and Manager of Luke Memorial Public School, Iringole, Ernakulam, who are accused Nos. 1 and 2 in Crime No. 88/2007 of Kuruppumpady Police Station for an offence punishable under Section 420 read with Sec. 34 I.P.c., seek anticipatory bail.

2. Sri.P.G. Thambi, the learned Director General of Prosecutions opposed the applications.

3. The case of the prosecution is that the Petitioners made the de facto complainant and others to believe that the said School was affiliated to the Central Board of Secondary Education (C.B.S.E.) and when the children sought to write the 10th standard examination, they were not allowed to write the same for want of recognition and the petitioners have thereby cheated the parents , guardians and students.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioners to surrender before the Investigating Officer and then

to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 21-3-2007 and 23-03-2007 for the purpose of interrogation. Thereafter the petitioners shall be produced on the same day before the Magistrate having jurisdiction who shall release the petitioners on bail on appropriate conditions including the one ensuring that they will not commit any offence while on bail.

These applications are disposed of as above.

V.RAMKUMAR, JUDGE

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